

A
B I L L[AN AMENDED IN COMMITTEE AND ON CONSIDERATION AS
AMENDED]

TO

Make temporary provision with respect to Compensation for Disturbance in certain cases of Ejectment for Nonpayment of Rent in parts of Ireland. A.D. 1890.

WHEREAS, having regard to the distress existing in certain parts of Ireland arising from failure of crops, it is expedient to make temporary provision with respect to compensation of tenants for disturbance by ejectment for nonpayment of rent in certain cases :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. An ejectment for nonpayment of rent for the recovery of the possession of a holding valued under the Acts relating to the valuation of rateable property in Ireland at an annual value of not more than thirty pounds, situate wholly or partially in any of the poor law unions mentioned in the schedule hereto, or where any electoral division is specified in the said schedule situate wholly or partially in such electoral division, and which shall be commenced after the passing of this Act and before the thirty-first day of December one thousand eight hundred and eighty-one, or which shall have been commenced before the passing of this Act, and in which any judgment or decree for possession shall be executed after the passing of this Act and before the thirty-first day of December one thousand eight hundred and eighty-one, shall be deemed and declared, by the court having jurisdiction to hear and determine land claims in and for the county in which such holding is situate, to be a disturbance of the tenant by the act of the landlord within the meaning of the third section of the Landlord and Tenant (Ireland) Act, 1870, notwithstanding anything contained in the said Act,—

[Bill 276.]

Temporary provision regarding compensation for disturbance.

A.D. 1880.

If it shall appear to the court—

- (1.) That such nonpayment of rent by the tenant is owing to his inability to pay, caused by such distress as aforesaid; and
- (2.) That the tenant is willing to continue in the occupation of his holding upon just and reasonable terms as to rent, arrears of rent, and otherwise; and
- (3.) That such terms are refused by the landlord without the offer of any reasonable alternative.

Right of redemption.

2. The acceptance of compensation for disturbance under this Act shall be a bar to any claim, under the provisions of the twenty-third and twenty-fourth years of Victoria, chapter one hundred and fifty-four, or otherwise, to be restored to the possession of the premises included in the ejectment for nonpayment of rent: Provided always, that if it appears to the Court that any person other than the tenant has a specific interest in the holding, notice of the proceedings shall be given to every such person, and so long as any such person may be entitled to redeem the holding no acceptance of such compensation shall be valid, nor shall the amount awarded, or any part thereof, be payable, unless every such person shall consent thereto, or the Court, having regard to all the circumstances of the case, shall so direct.

Arrears of rent.

3. The amount of rent which may be allowed by any landlord to accrue due during the period of the operation of this Bill shall not be reckoned against him in calculating the arrear of rent which might in any case of ejectment for nonpayment of rent be sufficient to subject him to damages for disturbance under the ninth section of the Landlord and Tenant (Ireland) Act, 1870.

Short title and construction.

4. This Act may be cited for all purposes as the Compensation for Disturbance (Ireland) Act, 1880, and shall be read and construed for all purposes, including the making of rules for carrying into effect the provisions of this Act, as one with the Landlord and Tenant (Ireland) Act, 1870.

SCHEDULE.

A.D. 1890.

County.	Poor Law Union.	County.	Poor Law Union.
5	Cavan - Ballieborough. Bawnboy. Cavan.	Kerry - Cahirciveen. Dingle. Kenmare. Killarney. Listowel. Trales.	
10	Clare - Ballyvaghan. Corrofin. Ennis. Ennistymon. Killadysert. Kilrush. Seariff. Tulla.	King's Co. - Parsonstown. Tullamore.	
15	Cork - Bandon. Bantry. Castletown. Clonakilty. Dunmanway. Kanturk. Macroom. Mallow. Millstreet. Mitchelstown. Skibbereen. Skull. Youghal.	Leitrim - Carrick-on-Shannon. Manorhamilton. Mohill.	
20		Limerick - Croom. Glin. Kilmallock. Limerick. Newcastle. Rathkeale.	
25		Longford - Ballymahon. Granard. Longford.	
30	Donegal - Ballyshannon. Donegal. Dumfries. Glenties. Inishowen. Letterkenny. Milford. Stranorlar.	Mayo - Ballina. Ballinrobe. Belmullet. Castlebar. Claremorris. Killala. Newport. Swineford. Westport.	
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40	Galway - Ballinasloe. Clifden. Galway. Glennamaddy. Gort. Loughrea. Mountbellew. Oughterard. Portumna. Tuam.	Meath - Oldenstle, so far as relates to the elec- toral divisions of Ballyjamesduff, Castlerahan, and Kilbride.	
45		Roscommon - Boyle. Castlerea. Roscommon. Strokestown.	

A.D. 1880.

County.	Poor Law Union.	County.	Poor Law Union.
Sligo - -	Dromore West. Sligo. Tobercurry.	Waterford -	Dungarvan. Kilmacthomas. Waterford, so far as relates to the elec- 5 toral divisions of Killsaly, Dunkitt, Waterford, Tra- more, Islandikane, Reisk, and Pol- 10 hona.
Tipperary -	Boariskane, so far as relates to the electoral divisions of CloghJordan, Merton Hall, and Ballyhasky. Cushel. Nenagh. Roscrea. Thurles. Tipperary.	Westmeath -	Athlone. 15

Compensation for Dis- turbance (Ireland).

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Ireland.

(Prepared and brought in by
Mr. William Edward Davern,
Mr. Attorney General for Ireland, and
Mr. Solicitor General for Ireland.)

Ordered, by The House of Commons, to be Printed,
22 July 1880.

[Bill 276.]

Traded 1 oz.